

## LAND EXCHANGE WITH AUBURN UNIVERSITY

JUNE 29, 1960.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Agriculture and Forestry, submitted the following

## REPORT

[To accompany S. 3759]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 3759) to authorize the Secretary of Agriculture to convey certain lands to Auburn University, Auburn, Ala., having considered the same, report thereon with a recommendation that it do pass with amendments.

This bill, with the committee amendments, authorizes the Secretary of Agriculture to quitclaim 27 acres of land to Auburn University in exchange for a lease on 42 acres of other land, renewable at the option of the Department of Agriculture to cover a total period of 99 years. No additional consideration, other than possibly purely nominal consideration, would be payable for the renewal periods.

The 27-acre tract has been appraised at \$29,500. The lease value of the 42-acre tract has been appraised at \$43,000.

The 27-acre tract is a part of a 40-acre tract donated by the university to the Department for a regional animal disease laboratory. The university has now built up around the laboratory so that the 27-acre tract is needed for university expansion, and is not as satisfactory to the Department for pasturing research animals as would be the 42-acre tract situated about a mile and a half from the laboratory and adjacent to the new site of the university's School of Veterinary Medicine.

The committee amendments would make the bill an authorization, rather than a direction, to the Secretary to make the conveyance; specify the approximate number of acres to be leased; and make it clear that the option should permit renewal for one or more periods (rather than for a single renewal period) and that the entire leasing period is not to exceed 99 years.

A fuller explanation is contained in the attached letter from the university to Senator Hill and the attached report from the Department of Agriculture.

AUBURN UNIVERSITY,  
*Auburn, Ala., April 22, 1960.*

Hon. LISTER HILL,  
*U.S. Senate,  
Washington, D.C.*

DEAR SENATOR HILL: Under title I, section 4, of the Bankhead-Jones Act approved June 29, 1935, the U.S. Department of Agriculture was authorized to establish and maintain a number of regional laboratories in the major agricultural regions of the country. One of the regional laboratories proposed for establishment under this authority was a regional animal disease research laboratory for the South.

Auburn, Ala., is centrally located in the region that the proposed animal disease research laboratory would serve. The Alabama Polytechnic Institute, a land-grant college with a long history of agricultural research, was located in Auburn. Finally, this institution was the only institution in the Southeast having a professional school of veterinary medicine. For reasons such as these, the Secretary approved the Alabama Polytechnic Institute as the location of the regional laboratory on February 24, 1937.

The Alabama Polytechnic Institute offered the United States of America, by and through the Bureau of Animal Industry of the U.S. Department of Agriculture, 40 acres of land, located adjacent to the School of Veterinary Medicine, as a site for the laboratory. The offer was accepted and the Alabama Polytechnic Institute deeded the 40 acres of land to the Government for and in consideration of the sum of \$1.

The land deeded to the Government was adjacent to the School of Veterinary Medicine and at the far western extremity of the campus. A map marked exhibit "A" is attached. The map shows the location of the land deeded to the Government for the laboratory and identifies in red the permanent buildings that existed on the campus in 1938.

Like most universities, the campus of Auburn University (name changed January 1, 1960) has grown. Because of obvious limitations to the north and east, the campus has of necessity grown westward and southward. A map entitled exhibit "B" is attached showing the buildings in existence in 1960. This exhibit is a dramatic illustration of how the regional laboratory, once thought to be far removed from the campus, is now being surrounded by the campus. It emphasizes the necessity of the institution attempting to reclaim from the Government a part of the 40 acres originally deeded to the Government.

Exhibit "B" identifies the 27 acres of land that Auburn University is requesting the Government to deed back to the institution. It also shows the 13 acres of land to be retained by the Government and on which the permanent buildings housing the Regional Animal Disease Research Laboratory are located.

Exhibit "C" shows the proposed uses that the university will make of the 27 acres that it is requesting that the Government deed back to it. A study of exhibits A, B, and C will dramatically illustrate the needs of the university. It will also illustrate the problems that the Department of Agriculture would have in continuing to use this land for the purpose of pasturing experimental large animals.

Auburn University is as interested in animal disease research today as the institution was when it bid for the location of the laboratory

in the mid-1930's. It is as interested in cooperating with the Department of Agriculture and in making needed facilities available to the Regional Animal Disease Research Laboratory so that that laboratory can work on problems of importance to the livestock producers of Alabama and the southern region.

In order that the needs for the campus and the desire to maintain a good cooperative relationship with the Department of Agriculture might not be in conflict, I arranged a conference with the administrator for the Agricultural Research Service of the U.S. Department of Agriculture at which time the problem was presented and a solution suggested.

Since the university recognizes that it must relocate its school of veterinary medicine at a site farther removed from the main campus than the site now occupied near the Regional Animal Disease Research Laboratory, a relatively large acreage of land was purchased on the same road on which the laboratory is located but about 1½ miles away from the campus. This land was dedicated to the relocation and development of the school of veterinary medicine, to animal disease research, and to the use of the animal husbandry department.

Now to return to the conference with the ARS Administrator. I presented our problem, proposed that the Government deed back to the university the 27 acres of land shown in exhibits B and C, and proposed to make available to the ARS on a lease arrangement 42 acres of land adjacent to the new veterinary medicine and animal disease research facilities. This 42 acres of land is shown on exhibit D.

At a later time, administrative officials of the Agricultural Research Service came to Auburn, viewed the land that Auburn proposed that the Government deed back to the university and the land that the university proposes to make available to the Government as pastureland for the use of the laboratory. They agreed that the proposal was sound and that the program of the regional laboratory might be strengthened rather than weakened by acceptance of the proposal.

It was only after such an amicable understanding between our university and the Agricultural Research Service that I approached you and Congressman Andrews relative to your introducing bills in the Senate and House to convey back to Auburn University 27 acres of land that the university had once conveyed to the Government as a part of the 40 acres that the university deeded to the Government for use of the Animal Disease Research Laboratory.

I should emphasize again that the land that we propose to have deeded back to the university is badly needed for university development. It is land that the university once conveyed to the Government without cost to the Government (or for \$1). In asking that the Government deed this portion of the land back to the university without cost, we do not propose in any way to weaken the program of the Regional Animal Disease Research Laboratory.

Thanking you for your willingness to handle any legislation that is in the best interest of the people of Alabama and the Nation, and with kindest personal regards, I am

Most sincerely,

Ralph B. Draughon,  
RALPH B. DRAUGHON, *President*.

NOTE.—The exhibits referred to in the above letter were furnished to the committee, but have not been included in this report.

DEPARTMENT OF AGRICULTURE,  
Washington, D.C., June 28, 1960.

Hon. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*U.S. Senate.*

DEAR SENATOR ELLENDER: This is in response to the request of your committee staff for a report on S. 3759, a bill authorizing the Secretary of Agriculture to convey certain lands to Auburn University, Auburn, Ala.

The Department of Agriculture recommends enactment of S. 3759.

This bill would authorize and direct the conveyance by quitclaim deed to Auburn University of approximately 27 acres of land at Auburn University. In exchange, the university would lease to the Department suitable lands in the vicinity of the university on the basis of a lease for 1 year renewable for any period not to exceed 99 years.

This Department is concerned with the future of its animal disease research as carried out at this station. It is becoming increasingly difficult to pasture the large animals involved within the confines of the university campus. Further, in those areas of research which require the close proximity of additional animals over and above the numbers held by our present pastures, additional pasture is needed. This is not available at or near the present location.

Much of the success of the cooperative research in this area is due to the availability of both the facilities and personnel associated with the university's School of Veterinary Medicine. In recognition of problems closely related to those mentioned above, the university now plans to move its School of Veterinary Medicine to the new location approximately 1½ miles away. It would seem in the best interest of our research for the Government to relocate its field efforts to the adjacent site provided by the university, assuming, of course, mutually satisfactory arrangements can be made.

The Department recommends that the bill be amended as follows: (1) on page 1, line 4, delete the words "and directed"; (2) on page 2, line 16, delete the word "lands" and insert "42 acres of land, more or less"; and (3) on page 2, line 25, delete the words "any period" and insert "one or more periods, the total leasing period".

It is recognized that such an arrangement does not contemplate a straight land-for-land exchange, inasmuch as we would, if the arrangement were authorized, convey by quit claim deed the title to 27 acres located on the campus for leased rights in 42 acres at the new location. However, tenure in the new site, as indicated above, would be insured through the execution of a 1-year lease with renewable rights for one or more periods at the Government's option not to exceed 99 years.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*

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